

## Message Text

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70

ACTION ARA-10

INFO OCT-01 IO-11 ISO-00 L-03 DHA-02 CIAE-00 DODE-00 PM-04

H-02 INR-07 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 AID-05 TRSE-00 OMB-01 EUR-12 IGA-02 EB-07

/097 W

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R 092135Z FEB 76

FM AMEMBASSY SANTIAGO

TO SECSTATE WASHDC 7093

INFO USMISSION GENEVA

USMISSION USUN

C O N F I D E N T I A L SANTIAGO 1045

EO 11652: GDS

TAGS: PINS, SHUM, CI

SUBJ: UNHRC MEETING: CHILEAN DECREE ON RIGHTS OF DETAINEES

REF: A) STATE 30458 B) SANTIAGO 833 C) SANTIAGO 968 D) SANTIAGO  
756

1. EMBASSY AGREES WITH DEPARTMENT'S OBSERVATION THAT  
MINISTRY OF INTERIOR'S JAN 29 DECREE PROVIDING SOME SAFE-  
GUARDS FOR PERSONS PICKED UP UNDER STATES OF EMERGENCY DOES  
NOT ADDRESS ALL OF THE PROBLEMS IDENTIFIED IN PREVIOUS  
REPORTS FROM HUMAN RIGHTS GROUPS. THAT WAS NOT THE DECREE'S  
PURPOSE. REF C DESCRIBES NUMBER OF POSSIBLE WAYS TO  
CIRCUMVENT EVEN THOSE GUARANTEES SET FORTH IN THE NEW  
DECREE. WE HAVE CONSISTENTLY RESERVED JUDGMENT ON THE  
TRUE SIGNIFICANCE OF THE NEW PROVISIONS UNTIL WE HAVE  
EVIDENCE OF WHAT THE GOC IS ACTUALLY DOING (REFS C AND D)..  
WE DO NOT HAVE THAT EVIDENCE  
YET.

2. EMBASSY DOES HAVE A QUESTION ON WHAT TACTICAL APPROACH  
BEST SERVES OUR INTEREST. WE SEEK TO MOVE GOC TOWARD  
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IMPROVING RESPECT FOR HUMAN RIGHTS, AND SUCH MOVEMENT WILL

MOST LIKELY BE MADE IN NUMBER OF STEPS. IMPROVING  
PROCEDURAL SAFEGUARDS APPEARS ONE LOGICAL MEASURE.

3. IT IS ONE THING TO MENTION NEW PROVISIONS WHILE  
RESERVING ULTIMATE JUDGMENT ON THEM PENDING EVIDENCE OF  
ACTUAL ENFORCEMENT; IT IS ANOTHER TO IGNORE EXISTENCE OF  
NEW LAW OR ATTACK IT AS INADEQUATE AND INEFFECTUAL ON ITS  
FACE. WE BELIEVE THAT A US PRESENTATION BASED UPON  
FORMER COURSE IS MORE LIKELY TO PRODUCE MEANINGFUL RESULTS  
THAN PURSUING LATTER TACTIC.

4. EMBASSY WOULD APPRECIATE RECEIVING COPIES OF ANY  
ANALYSES FROM EITHER DEPARTMENT OR GENEVA (REF A, PARA 3)  
REGARDING JAN 29 DECREE.  
POPPER

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** LAW, HUMAN RIGHTS, POLITICAL PRISONERS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 09 FEB 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** saccheem  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
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**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
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**Previous Channel Indicators:** n/a  
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**Previous Handling Restrictions:** n/a  
**Reference:** 76 STATE 30458, 76 SANTIAGO 833, 76 SANTIAGO 968  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** saccheem  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 07 MAY 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <07 MAY 2004 by ifshinsr>; APPROVED <27 SEP 2004 by saccheem>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** UNHRC MEETING: CHILEAN DECREE ON RIGHTS OF DETAINEES  
**TAGS:** PINS, SHUM, CI  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006